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December 13, 2017

The Honorable Ben Carson
Secretary

U.S. Department of Housing and Urban Development (HUD)
451 7th Street S.W.
Washington, DC 20410

Dear Secretary Carson:

We write to bring your attention to the issue of sober living homes and how their proliferation is impacting communities throughout the country. Sober living homes are group homes for individuals recovering from drug and alcohol addiction. The purpose of these facilities is to help addicts who have completed addiction treatment to transition back to residential life in a community environment, so that they can begin to assimilate into the community.

In recent years, the number of sober living homes has reportedly increased across the country, concentrating in certain cities and neighborhoods causing problems for sober home residents, neighbors, and local and state governments. The overconcentration of sober living homes is changing the character of residential communities and undermining the benefit of recovering addicts who are looking to live in a neighborhood community, rather than in an institutionalized environment, as these homes do not provide treatment. The rapid growth of this industry has also allowed predatory and unscrupulous operators to run facilities that fail to adequately serve their clients, harming those in recovery and often leading to further drug abuse, homelessness, and even death. This is especially troubling amid the current addiction crises our nation faces, such as the opioid epidemic. Individuals seeking safe housing for their recovery from opioid addiction are met with challenges to that recovery when they find themselves residing in sober living homes that are unregulated and threaten to further their addiction.

State and local governments that have attempted to address this issue find that they are hamstrung by the current interpretation of federal law in this realm. The Americans with Disabilities Amendments Act (ADAA) and its accompanying regulations define "disability" to include alcoholism and drug addiction. The Fair Housing Amendments Act (FHAA) makes it unlawful for cities to pass and enforce housing laws on the basis of disability status, including addiction. Consequently, sober living home operators have been able to avoid state and local

regulation of their properties and successfully fight regulations in court by hiding behind these federal laws.

In this Congress, H.R. 472, the Safe Recovery and Community Empowerment Act, has been introduced to address this problem for states and localities by amending the FHAA to specifically allow any state and local government body to enact and enforce a zoning ordinance or other regulation to limit the number of sober living homes within a particular neighborhood. These limitations can be made as the local entity sees appropriate to preserve the residential character of their communities and protect public safety.

While this legislation has been referred to the House Judiciary Committee, we respectfully request that HUD review these issues and consider a regulatory avenue in addressing this problem. Please let us know if it would be possible for HUD to develop a rule for notice and comment that would seek to achieve the goal of this legislation and allow localities to reasonably regulate the issues that have arisen from the unregulated proliferation of sober living homes in various communities across the country.

We appreciate your prompt attention to this important issue. Please have your staff respond to Robert Rische with Congressman Issa's staff at (202) 225-3906 and John Coleman with House Judiciary Chairman Goodlatte's staff at (202) 225-2825 no later than January 3, 2018.

Sincerely,



Bob Goodlatte
Chairman
House Judiciary Committee



Darrell Issa
Member of Congress